

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 467**

By Senator Chapman

[Introduced January 16, 2026; referred  
to the Committee on Transportation and  
Infrastructure]

1 A BILL to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating  
2 to penalties for parking in Purple Heart parking spaces without the designation on the  
3 license plate or a placard.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 13. STOPPING, STANDING AND PARKING.**

**§17C-13-6. Stopping, standing, or parking privileges for persons with a mobility impairment; disabled veterans; Purple Heart designations; definitions; qualification; special registration plates and removable windshield placards; expiration, application; violation; penalties.**

1 (a)(1) The commissioner may issue up to two special registration plates or removable  
2 windshield placards to a person with a mobility impairment or a West Virginia organization which  
3 transports persons with disabilities or veterans who have earned a Purple Heart and facilitates the  
4 mobility of its customers, patients, students, or persons otherwise placed under its responsibility.

5 (2) Special registration plates or placards may only be issued for placement on a Class A  
6 or Class G motor vehicle registered under the provisions of §17A-3-1 *et seq.* of this code.

7 (3) The applicant shall specify whether he or she is applying for a special registration plate,  
8 a removable windshield placard, or both on the application form prescribed and furnished by the  
9 commissioner.

10 (4) The applicant shall submit, with the application, a certificate issued by any physician,  
11 chiropractor, advanced nurse practitioner, or physician's assistant who is licensed in this state,  
12 stating that the applicant has a mobility impairment, or that the applicant is an organization which  
13 regularly transports a person with a mobility impairment as defined in this section. The physician,  
14 chiropractor, advanced nurse practitioner, or physician's assistant shall specify in the certificate  
15 whether the disability is temporary or permanent. A disability which is temporary is one expected  
16 to last for a limited duration and improve during the applicant's life. A disability which is permanent  
17 is one which is expected to last during the duration of the applicant's life. If applying for a placard

18 for the Purple Heart designation, the same requirements are necessary for the license plate  
19 designating that the Purple Heart has been awarded to that person.

20 (5) Upon receipt of the completed application, the physician's certificate, and the regular  
21 registration fee for the applicant's vehicle class, if the commissioner finds that the applicant  
22 qualifies for the special registration plate or a removable windshield placard as provided in this  
23 section, he or she shall issue to the applicant a special registration plate (upon remittance of the  
24 regular registration fee) or a removable windshield placard (red for temporary and blue for  
25 permanent), or both. Upon request, the commissioner shall also issue to any otherwise qualified  
26 applicant one additional placard having the same expiration date as the applicant's original  
27 placard. The placard shall be displayed by hanging it from the interior rearview mirror of the motor  
28 vehicle so that it is conspicuously visible from outside the vehicle when parked in a designated  
29 accessible parking space. The placard may be removed from the rearview mirror whenever the  
30 vehicle is being operated to ensure clear vision and safe driving. Only in the event that there is no  
31 suitable rearview mirror in the vehicle may the placard be displayed on the dashboard of the  
32 vehicle.

33 (6) Organizations which transport people with disabilities will be provided with a placard  
34 which will permit them to park in a designated area for the length of time necessary to load and  
35 unload passengers. These vehicles must be moved to a nondesignated space once the loading or  
36 unloading process is complete.

37 (b) As used in this section, the following terms have the meanings ascribed to them in this  
38 subsection:

39 (1) A person or applicant with a "mobility impairment" means a person who is a citizen of  
40 West Virginia and as determined by a physician, allopath or osteopath, chiropractor, advanced  
41 nurse practitioner, or physician's assistant licensed to practice in West Virginia:

42 (A) Cannot walk 200 feet without stopping to rest;

43 (B) Cannot walk without the use of or assistance from a brace, cane, crutch, prosthetic

44 device, wheelchair, other assistive device, or another person;

45 (C) Is restricted by lung disease to such an extent that the person's force (respiratory)

46 expiratory volume for one second, when measured by spirometry, is less than one liter or the

47 arterial oxygen tension is less than 60 mm/hg on room air at rest;

48 (D) Uses portable oxygen;

49 (E) Has a cardiac condition to such an extent that the person's functional limitations are

50 classified in severity as Class III or Class IV according to standards established by the American

51 Heart Association; or

52 (F) Is severely limited in his or her ability to walk because of an arthritic, neurological, or

53 other orthopedic condition.

54 (2) "Special registration plate" means a registration plate that displays the international

55 symbol of access, as adopted by the Rehabilitation International Organization in 1969 at its

56 Eleventh World Congress on Rehabilitation of the Disabled, in a color that contrasts with the

57 background, in letters and numbers the same size as those on the plate, and which may be used in

58 lieu of a regular registration plate;

59 (3) "Removable windshield placard" (permanent or temporary) means a two-sided,

60 hanger-style placard measuring three inches by nine and one-half inches, with all of the following

61 on each side:

62 (A) The international symbol of access, measuring at least three inches in height, centered

63 on the placard, in white on a blue background for permanent designations and in white on a red

64 background for temporary designations;

65 (B) An identification number measuring one inch in height;

66 (C) An expiration date in numbers measuring one inch in height for a temporary placard;

67 and

68 (D) The seal or other identifying symbol of the issuing authority.

69 (4) "Regular registration fee" means the standard registration fee for a vehicle of the same

70 class as the applicant's vehicle;

71 (5) "Public entity" means state or local government or any department, agency, special  
72 purpose district, or other instrumentality of a state or local government;

73 (6) "Public facility" means all or any part of any buildings, structures, sites, complexes,  
74 roads, parking lots, or other real or personal property, including the site where the facility is  
75 located;

76 (7) "Place or places of public accommodation" means a facility or facilities operated by a  
77 private entity whose operations affect commerce and fall within at least one of the following  
78 categories:

79 (A) Inns, hotels, motels, and other places of lodging;

80 (B) Restaurants, bars, or other establishments serving food or drink;

81 (C) Motion picture houses, theaters, concert halls, stadiums, or other places of exhibition  
82 or entertainment;

83 (D) Auditoriums, convention centers, lecture halls, or other places of public gatherings;

84 (E) Bakeries, grocery stores, clothing stores, hardware stores, shopping centers, or other  
85 sales or rental establishments;

86 (F) Laundromats, dry cleaners, banks, barber and beauty shops, travel agencies, shoe  
87 repair shops, funeral parlors, gas or service stations, offices of accountants and attorneys,  
88 pharmacies, insurance offices, offices of professional health care providers, hospitals, or other  
89 service establishments;

90 (G) Terminals, depots, or other stations used for public transportation;

91 (H) Museums, libraries, galleries, or other places of public display or collection;

92 (I) Parks, zoos, amusement parks, or other places of recreation;

93 (J) Public or private nursery, elementary, secondary, undergraduate, or post-graduate  
94 schools or other places of learning and day care centers, senior citizen centers, homeless  
95 shelters, food banks, adoption agencies, or other social services establishments; and

96 (K) Gymnasiums, health spas, bowling alleys, golf courses, or other places of exercise or  
97 recreation.

98 (8) "Commercial facility" means a facility whose operations affect commerce and which are  
99 intended for nonresidential use by a private entity;

100 (9) "Accessible parking" formerly known as "handicapped parking" is the present phrase  
101 consistent with language within the Americans with Disabilities Act (ADA);

102 (10) "Parking enforcement personnel" includes any law-enforcement officer as defined by  
103 §30-29-1 of this code, and private security guards, parking personnel, and other personnel  
104 authorized by a city, county, or the state to issue parking citations.

105 Any person who falsely or fraudulently obtains or seeks to obtain the special plate or the  
106 removable windshield placard provided for in this section, and any person who falsely certifies that  
107 a person is mobility impaired in order that an applicant may be issued the special registration plate  
108 or windshield placard under this section is guilty of a misdemeanor and, upon conviction thereof, in  
109 addition to any other penalty he or she may otherwise incur, shall be fined \$500. Any person who  
110 fabricates, uses, or sells unofficially issued windshield placards to any person or organization is  
111 committing a fraudulent act and is guilty of a misdemeanor and, upon conviction thereof, in  
112 addition to any other penalty he or she may otherwise incur, shall be fined \$500 per placard  
113 fabricated, used, or sold. Any person who fabricates, uses, or sells unofficially issued identification  
114 cards to any person or organization is committing a fraudulent act and is guilty of a misdemeanor  
115 and, upon conviction thereof, in addition to any other penalty he or she may otherwise incur, shall  
116 be fined \$700 per identification card fabricated, used, or sold. Any person who fabricates, uses, or  
117 sells unofficially issued labels imprinted with a future expiration date to any person or organization  
118 is committing a fraudulent act and is guilty of a misdemeanor and, upon conviction thereof, in  
119 addition to any other penalty he or she may otherwise incur, shall be fined \$700. Any person  
120 covered by this section who sells or gives away their officially issued windshield placard to any  
121 person or organization not qualified to apply for or receive the placard and then reapplies for a new

122 placard on the basis it was stolen is committing a fraudulent act and is guilty of a misdemeanor  
123 and, upon conviction thereof, in addition to any other penalty he or she, or they may otherwise  
124 incur, shall lose their right to receive or use a special placard or special license plate for a period of  
125 not less than five years.

126 (c) The commissioner shall set the expiration date for special registration plates on the last  
127 day of a given month and year, to be valid for a minimum of one year but not more than five years,  
128 after which time a new application must be submitted to the commissioner. After the commissioner  
129 receives the new application, signed by a certified physician, chiropractor, advanced nurse  
130 practitioner, or physician's assistant if required under this subsection, the commissioner shall  
131 issue: (i) A new special registration plate or new permanent or temporary removable windshield  
132 placard; or (ii) official labels imprinted with the new expiration date and designed so as to be  
133 placed over the old dates on the original registration plate or windshield placard: *Provided*, That a  
134 new application under this subsection must not be accompanied by a certificate pursuant to §17C-  
135 13-6(a)(4) of this code if a prior application is on file with the commissioner, such application  
136 includes a certificate issued pursuant to §17C-13-6(a)(4) of this code, such certificate specifies  
137 that the applicant's disability is permanent for life, and such certificate was made within 10 years of  
138 the new application.

139 (d) The commissioner shall set the expiration date of temporary removable windshield  
140 placards to be valid for a period of approximately six months after the application was received and  
141 approved by the commissioner. Permanent removable windshield placards are valid for the  
142 duration of the applicant's life.

143 (e) The commissioner shall issue to each applicant who is granted a special registration  
144 plate or windshield placard an identification card bearing the applicant's name, assigned  
145 identification number, and expiration date. The applicant shall thereafter carry this identification  
146 card on his or her person whenever parking in an accessible parking space. The identification card  
147 shall be identical in design for both registration plates and removable windshield placards.

148 (f) An accessible parking space should comply with the provisions of the Americans with  
149 Disabilities Act accessibility guidelines, contained in 28 C.F.R. 36, Appendix A, Section 4.6. In  
150 particular, the parking space should be a minimum of eight feet wide with an adjacent eight-foot  
151 access aisle for vans having side mounted hydraulic lifts or ramps, or a five-foot access aisle for  
152 standard vehicles. Access aisles should be marked using diagonal two- to four-inch-wide stripes  
153 spaced every 12 or 24 inches apart along with the words "no parking" in painted letters which are  
154 at least 12 inches in height. All accessible parking spaces must have a signpost in front or adjacent  
155 to the accessible parking space displaying the international symbol of access sign mounted at a  
156 minimum of eight feet above the pavement or sidewalk and the top of the sign. Lines or markings  
157 on the pavement or curbs for parking spaces and access aisles may be in any color, although blue  
158 is the generally accepted color for accessible parking.

159 (g) A vehicle displaying a disabled veterans special registration plate issued pursuant to  
160 §17A-3-14(c)(6) of this code shall be recognized and accepted as meeting the requirements of this  
161 section.

162 (h) A vehicle from any other state, United States territory, or foreign country displaying an  
163 officially issued special registration plate, placard, or decal bearing the international symbol of  
164 access shall be recognized and accepted as meeting the requirements of this section, regardless  
165 of where the plate, placard, or decal is mounted or displayed on the vehicle.

166 (i) Stopping, standing, or parking places marked with the international symbol of access  
167 shall be designated in close proximity to all public entities, including state, county, and municipal  
168 buildings and facilities, places of public accommodation, and commercial facilities. These parking  
169 places shall be reserved solely for persons with a mobility impairment and disabled veterans at all  
170 times.

171 (j) Any person whose vehicle properly displays a valid, unexpired special registration plate  
172 or removable windshield placard may park the vehicle for unlimited periods of time in parking  
173 zones unrestricted as to length of parking time permitted: *Provided*. That this privilege does not

174 mean that the vehicle may park in any zone where stopping, standing, or parking is prohibited or  
175 which creates parking zones for special types of vehicles or which prohibits parking during heavy  
176 traffic periods during specified rush hours or where parking would clearly present a traffic hazard.  
177 To the extent any provision of any ordinance of any political subdivision of this state is contrary to  
178 the provisions of this section, the provisions of this section take precedence and apply.

179 The parking privileges provided for in this subsection apply only during those times when  
180 the vehicle is being used for the loading or unloading of a person with a mobility impairment. Any  
181 person who knowingly exercises, or attempts to exercise, these privileges at a time when the  
182 vehicle is not being used for the loading or unloading of a person with a mobility impairment is  
183 guilty of a misdemeanor and, upon first conviction thereof, in addition to any other penalty he or  
184 she may otherwise incur, shall be fined \$200; upon second conviction thereof, in addition to any  
185 other penalty he or she may otherwise incur, shall be fined \$300; and upon third and subsequent  
186 convictions thereof, in addition to any other penalty he or she may otherwise incur, shall be fined  
187 \$500.

188 (k) Any person whose vehicle does not display a valid, special registration plate or  
189 removable windshield placard may not stop, stand, or park a motor vehicle in an area designated,  
190 zoned, or marked for accessible parking with signs or instructions displaying the international  
191 symbol of access or any words or symbols that indicate that the person has been awarded a  
192 Purple Heart, either by itself or with explanatory text. The signs may be mounted on a post or a wall  
193 in front of the accessible parking space and instructions may appear on the ground or pavement,  
194 but use of both methods is preferred. Accessible parking spaces for vans having an eight-foot  
195 adjacent access aisle should be designated as "van accessible" but may be used by any vehicle  
196 displaying a valid special registration plate or removable windshield placard.

197 Any person who violates the provisions of this subsection is guilty of a misdemeanor and,  
198 upon conviction thereof, shall be fined \$200; upon second conviction thereof, in addition to any  
199 other penalty he or she may otherwise incur, shall be fined \$300; and upon third and subsequent

200 convictions thereof, in addition to any other penalty he or she may otherwise incur, shall be fined  
201 \$500.

202 (l) All signs that designate areas as "accessible parking" or that display the international  
203 symbol of access or indicate that the space is for use by those who have been awarded a Purple  
204 Heart shall also include the words "up to \$500 fine".

205 (m) No person may stop, stand, or park a motor vehicle in an area designated or marked off  
206 as an access aisle adjacent to a van-accessible parking space or regular accessible parking  
207 space. Any person, including a driver of a vehicle displaying a valid removable windshield placard  
208 or special registration plate, who violates the provisions of this subsection is guilty of a  
209 misdemeanor and, upon conviction thereof, shall be fined \$200; upon second conviction thereof,  
210 in addition to any other penalty he or she may otherwise incur, shall be fined \$300; and upon third  
211 and subsequent convictions thereof, in addition to any other penalty he or she may otherwise  
212 incur, shall be fined \$500.

213 (n) Parking enforcement personnel who otherwise enforce parking violations may issue  
214 citations for violations of this section and shall reference the number on the vehicle's license plate,  
215 since the driver normally will not be present.

216 (o) Law-enforcement agencies may establish a program to use trained volunteers to  
217 collect information necessary to issue citations to persons who illegally park in designated  
218 accessible parking spaces. Any law-enforcement agency choosing to establish a program shall  
219 provide for workers' compensation and liability coverage. The volunteers shall photograph the  
220 illegally parked vehicle and complete a form, to be developed by supervising law-enforcement  
221 agencies, that includes the vehicle's license plate number, date, time, and location of the illegally  
222 parked vehicle. The photographs must show the vehicle in the accessible space and a readable  
223 view of the license plate. Within the discretion of the supervising law-enforcement agency, the  
224 volunteers may issue citations or the volunteers may submit the photographs of the illegally  
225 parked vehicle and the form to the supervising law-enforcement agency, who may issue a citation,

226 which includes the photographs and the form, to the owner of the illegally parked vehicle.  
227 Volunteers shall be trained on the requirements for citations for vehicles parked in marked, zoned,  
228 or designated accessible parking areas by the supervising law-enforcement agency.

229 (p) Local authorities who adopt the basic enforcement provisions of this section and issue  
230 their own local ordinances shall retain all fines and associated late fees. These revenues shall be  
231 used first to fund the provisions of subsection (o) of this section, if adopted by local authorities, or  
232 otherwise shall go into the local authorities' General Revenue Fund. Otherwise, any moneys  
233 collected as fines shall be collected for and remitted to the state.

234 (q) The commissioner shall prepare and issue a document to applicants describing the  
235 privileges accorded a vehicle having a special registration plate and removable windshield placard  
236 as well as the penalties when the vehicle is being inappropriately used as described in this section  
237 and shall include the document along with the issued special registration plate or windshield  
238 placard. In addition, the commissioner shall issue a separate document informing the general  
239 public regarding the new provisions and increased fines being imposed either by way of  
240 newspaper announcements or other appropriate means across the state.

241 (r) The commissioner shall propose rules for legislative approval in accordance with the  
242 provisions of §29A-3-1 *et seq.* of this code.

243 (s)(1) A public entity may not require a person to pay for parking a vehicle in an accessible  
244 parking space with a parking meter if the following requirements are met:

245 (A) The vehicle displays a special registration plate or placard that entitles the person to  
246 park in an accessible parking space pursuant to this section;

247 (B) The driver has a mobility impairment and is unable to walk;

248 (C) The parking meter is not accessible to the driver while sitting in a wheelchair or without  
249 traveling more than 30 feet from the parked vehicle; and

250 (D) The parked vehicle displays an unexpired parking certification that is plainly visible with  
251 pertinent information through its windshield. For purposes of this subsection, "parking certification"

252 means a letter completed by a licensed medical provider on the provider's letterhead that is titled  
253 "Parking Certification pursuant to W.Va. Code §17C-13-6(s)" and that certifies that the person is  
254 physically able to drive but unable to walk, which means for purposes of this subsection that the  
255 person cannot ambulate without the aid of a wheelchair. Such letter shall specify whether the  
256 inability to walk is permanent or temporary. If the inability to walk is temporary, the letter shall  
257 include the date on which such temporary disability is anticipated to end, and the letter may not be  
258 displayed in a windshield after such date.

259 (2) By displaying a parking certification in the windshield of a vehicle that is parked in an  
260 accessible parking space with an expired parking meter, the person is swearing under penalty of  
261 false swearing that he or she is unable to access the parking meter without unreasonable effort.

262 (3) Parking enforcement personnel may not cite a vehicle that is parked in an accessible  
263 parking space of a public entity for parking at an expired meter if the requirements of this  
264 subsection are met: *Provided*, That if a parking citation is issued, it shall be *prima facie* evidence  
265 that the person was entitled to park in the accessible parking space with an expired meter if the  
266 person produces his or her parking certification.

NOTE: The purpose of this bill is to grant authority for enforcement of the Purple Heart parking spaces so that only those who have earned this medal may use those spaces, and establish penalties for those who park in these spaces without having earned the designation.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.